

ORDER OF NOTICE

D.T.E. 03-74

September 8, 2003

Complaint of Verizon New England Inc. d/b/a Verizon Massachusetts concerning customer transfer charges imposed by Teleport Communications Boston.

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Verizon New England Inc. d/b/a Verizon Massachusetts ("Verizon") is required to publish the attached legal notice in either the Boston Globe or the Boston Herald at least fourteen (14) days prior to September 29, 2003. Verizon shall also make proof of publication at the time of the public hearing.

By Order of the Department,

\_\_\_\_\_/s/\_\_\_\_\_  
MARY L. COTTRELL, SECRETARY

D.T.E. 03-74

September 8, 2003

Complaint of Verizon New England Inc. d/b/a Verizon Massachusetts concerning customer transfer charges imposed by Teleport Communications Boston.

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NOTICE OF INVESTIGATION, PUBLIC HEARING AND INTERVENTION BY THE  
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

On July 8, 2003, Verizon New England Inc. d/b/a Verizon Massachusetts ("Verizon") filed with the Department of Telecommunications and Energy ("Department") a complaint concerning customer transfer charges ("CTCs") imposed by Teleport Communications Boston ("Teleport"). The CTCs are charges that apply in certain situations when a Teleport customer is transferred from Teleport to another local exchange carrier, and are to be paid by the receiving local exchange carrier. The complaint alleges that the CTCs, which Teleport charges pursuant to a tariff on file with the Department, are unjust and unreasonable. Verizon asks the Department, pursuant to G.L. c. 159, §§ 14 and 17, to open a proceeding, hold a hearing, make a finding that the CTCs are unjust and unreasonable, and enter an Order invalidating the charges. On August 7, 2003, AT&T Communications of New England, Inc. and Teleport filed an answer to Verizon's complaint, asserting that the CTC is a legitimate charge and asking the Department to dismiss Verizon's complaint. The complaint and answer may be viewed on the Department's website, <http://www.mass.gov/dpu/>.

The Department will conduct a public hearing to receive oral comment on the complaint at **10:00 a.m., Monday, September 29, 2003**, at the Department's offices at One South Station, Boston, Massachusetts. The Department will conduct a procedural conference immediately after the public hearing. Please direct any questions regarding this docket to Joan Foster Evans, Hearing Officer, at 617-305-3613, or [Joan.Evans@state.ma.us](mailto:Joan.Evans@state.ma.us).

The Department also invites all interested persons who are substantially and specifically affected by the issues under investigation to petition to intervene in this proceeding. Any person who desires to participate in the evidentiary phase of this proceeding must file a written petition for leave to intervene or to participate in the proceeding with Mary L. Cottrell, Secretary, Department of Telecommunications and Energy, One South Station, Boston, Massachusetts 02110, not later than the close of business (5:00 p.m.) on **Wednesday, September 24, 2003**. A petition for leave to intervene must satisfy the timing and substantive requirements of 220 C.M.R. § 1.03. Receipt by the Department -- not mailing -- constitutes filing and determines whether a petition has been timely filed. A late-filed petition may be

disallowed as untimely, unless good cause is shown for a waiver. To be allowed, a petition under 220 C.M.R. § 1.03(1) must satisfy the standing requirements of G.L. c. 30A, § 10.

In addition to filing a paper copy of petitions to intervene, petitioners must, if possible, file petitions in electronic format by e-mail attachment to [dte.efiling@state.ma.us](mailto:dte.efiling@state.ma.us) (copy to [Joan.Evans@state.ma.us](mailto:Joan.Evans@state.ma.us)). The electronic filing must specify: (1) the case caption; (2) the docket number (D.T.E. 03-74); (3) the name of the person or company submitting the filing; and (4) a brief descriptive title of document (e.g., comments). The electronic filing should also include the name, title, and phone number of a person to contact in the event of questions about the filing. Text responses should be written in either Word Perfect (naming the document with a ".wpd" suffix) or in Microsoft Word, (naming the document with a ".doc" suffix). Data or spreadsheet responses should be compatible with Microsoft Excel. Documents submitted in electronic format will be posted on the Department's website, <http://www.mass.gov/dpu/>.

By Order of the Department,

\_\_\_\_\_/s/\_\_\_\_\_  
Mary L. Cottrell, Secretary